

THE Individual

•MAGAZINE OF THE SOCIETY FOR INDIVIDUAL FREEDOM•

EDITORIAL

In this edition of *The Individual* we publish, in the first article, a disturbing account of injustice and, if anything even more disturbing, an example of long-term indifference to it by the major media. The basic evidence has been carefully examined by several responsible people and we can publish this without any fear of libel or other legal action. Only a 'tacit conspiracy' among the major media can have prevented one or more of them publicising this evidence any time during the past two years.

The most likely explanation (or excuse) for this is the possibility, even likelihood that anyone even discussing the original subject matter will be accused of 'racism'. This, together with child pornography or drug abuse, is routinely used as a universal 'discussion suppressant'. The mere possibility of such accusation, irrespective of any factual or rational considerations, is enough to strike fear into the hearts of editors and proprietors.

In contrast 'cultural diversity' and 'multiculturalism' is supposed to be unquestionably and uncritically supported. But if anybody notes that some strange cultural habit is apparently confined to a certain 'ethnic minority' and observes it in any but the most fulsome approval, then cultural diversity rapidly metamorphoses into racism. Fortunately *The Individual*, being entirely independent of advertising or proprietorial interference, is under no such constraints.

We are also very satisfied, for quite different reasons, with the progress, described in the item, on our 'Tell It' campaign. As reported in some previous editions, our efforts to extend freedom of information to medical treatments and their results led us to discover an invaluable source of data *owned by the NHS but hardly used and of whose potential value senior civil servants and Government ministers were apparently unaware*. This was the General Practice Research Database founded by Dr Alan Dean. This has now been recognised and given proper funding. Dr Alan Dean says:

"The Tell It/SIF campaign has contributed significantly to the success in obtaining Government recognition for the GPRD. Thank you all. I hope we can now live up to expectations and produce high quality research for the benefit of every patient."

So please continue your support of the SIF and *The Individual* - and renew subscriptions as soon as possible!

Paul Anderton

Editor: PAUL ANDERTON Design: MARTIN BALL
Edition: No. 27, February 1999. ISSN 1357-6429.
Published by The Society for Individual Freedom

Note: Views expressed in *The Individual* are not necessarily those of the Editor or of the Society but are printed as a contribution to debate. In particular only policies or opinions which have been specifically discussed and approved by the SIF Management Committee can be taken as having official SIF approval, and this applies to editorial comments in this journal.

CONTENTS

- 02**
The Third Way of Justice?
Paul Anderton
- 04**
An addict writes
Dr Robert Lefever
- 06**
Rand's Philosophy of Objectivism
Edward Younkins
- 08**
Talking about smoking
Judith Hatton
- 11**
Chairman's Chat
Michael Plumbe
- 14**
Report of Tell It
- 15**
Book Reviews

FORTHCOMING MEETINGS

Tuesday 30th March 1999

Jonathan Collett
Bruges Group Campaign Director

**Saving British Independence: The
1999 Euro Elections and Beyond**

6.30pm for 7pm
The Morpeth Arms,
58 Millbank, London SW1
(nearest tube is Pimlico)

ADVANCE NOTICE OF AGM

The 1999 SIF AGM will be in mid-June

To Promote Individual Freedom with Responsibility

THE THIRD WAY OF JUSTICE?

by Paul Anderton

On the 13 March 1997 Tony and Cherie Blair tried to have a certain Robert Henderson put in prison. Through Belgravia police, they attempted, but comprehensively failed, to have him prosecuted for three separate criminal offences, namely common assault and breaches of the Malicious Communications and Race Relations Acts. After the failure to have Mr Henderson prosecuted, Special Branch (definitely) and MI5 (possibly) were set to spy on him.

The background to this situation is that in July 1995 a specialist cricket magazine, *Wisden Cricket Monthly* (WCM), published an article by Robert Henderson entitled 'Is It in the Blood?'. This addressed the question of race and culture and its influence on sporting performance. It caused an immense outcry in the media. They all sensationalised and misrepresented the content of the article to which Mr Henderson was allowed no meaningful or unedited reply to this misrepresentation. The upshot of the media vilification and his inability publicly to reply was that he was left with the public tag of racist, which in 1990s Britain is a synonym for Nazi. From that point onwards he could get no justice from any quarter. The Blairs went to the police after Mr Henderson had written to them seeking their assistance to obtain redress for both the misrepresentation by the media and the failure to act by bodies such as the Press Complaints Commission, and also for the subsequent alleged misbehaviour towards him of his MP, Frank Dobson, and the (black) Labour MP, Diane Abbott. He wrote to Mrs Blair only as a last resort after Tony Blair had persistently refused to address his complaints over a period of ten months.

In the aftermath of "Is It in the Blood?", Frank Dobson refused to take up any of Mr Henderson's complaints against the media in any way despite the fact that these complaints were precisely those which an MP should address, namely matters of general public interest.

Diane Abbott sent Mr Henderson an unsolicited letter in which she got on her anti-racist high horse about "Is It in the Blood?". In view of her later statements about "blue eyed blond Finns" this letter contained such hypocritical gems as 'You show no appreciation of acceptable terminology and mores' and 'As an ex-journalist who still dabbles, I believe that we have a duty to write on a subject we know about. And if we are not fully conversant with the topic, to undertake the necessary research.'

As may be concluded from the failure of the police even to interview Mr Henderson, his letters to the Blairs contained no threat, gross abuse, or obscenity. They were short in length and reasonable in number. (He sent Tony Blair 9 letters over ten months, his wife 4. The combined text of the letters to Tony Blair totalled 2675 words; to Cherie Blair 755 words.) He wrote so often only because of the persistent failure of the Blairs to address his complaints. The only racial references in the letters were to publicly reported instances of racism within the Labour Party. Moreover, he only raised those matters after Frank Dobson had gratuitously called him a racist, and Diane Abbott had sent him the letter mentioned above.

Mr Henderson only discovered that the Blairs had been to the police through a lurid and apparently libellous *Mirror* story of 25/3/97 headlined "Pest Targets Blairs". This falsely accused him of having committed a criminal offence against the Blairs, of being a dangerous racist, and of having the mentality of a stalker. It further stated that the Blairs had attempted to lay criminal charges against him and that their complaints were studied by the Crown Prosecution Service (CPS). It also claimed that Special Branch had been asked to keep an eye on him. *The Mirror* story cited Labour HQ and Scotland Yard as its sources. Mr Henderson obtained fuller details of the Blairs' complaint using the provisions of the Data Protection Act (DPA). These produced a printout of data held at Belgravia Police station. This data confirms the part of the *Mirror* story which deals with the involvement of the Police, the CPS and Special Branch. It also shows that the Blairs attempted to have him prosecuted on the three charges mentioned above, that the CPS rejected all the complaints in short order, that the Blairs considered and rejected civil action to gag him, and that the security services were appointed to spy on him.

The complaint of common assault is literally absurd. Assault by words alone issued verbally is an offence unknown to English law, let alone assault by the written

word alone.

The Malicious Communications Act requires there to be one or more of the following: sustained and gross abuse, gross obscenity, or illegitimate threats or libels amounting to criminal libel. The CPS's remarkably rapid rejection of the complaints (on the same day that they were referred) shows that Mr Henderson did not engage in such behaviour. Interestingly, Mrs Blair had recent legal experience in the area of contentious correspondence.

The referral under the Race Relations Act (RRA) was simply sinister. The part of the act under which charges were considered is Section 70 which runs: A person commits an offence if (a) he publishes or distributes written matter which is threatening, abusive or insulting; or (b) he uses in any public place or at any public meeting words which are threatening, abusive or insulting, in a case where having regard to all the circumstances, hatred is likely to be stirred up against any racial group in Great Britain by the matter or words in question.

The Blairs went to the police after Mr Henderson had written to them seeking their assistance to obtain redress for both the misrepresentation by the media and the failure to act by bodies such as the Press Complaints Commission

There are two points to note. First, no legal expertise whatsoever is required to make a judgement of whether an offence has been committed. It is a purely ideological decision. Second, although the definition is dangerously broad - it would, for example, catch Margaret Thatcher's comment that Britain was in danger of being 'swamped' - it cannot logically be stretched to include complaints by a white person of publicly reported instances of racism committed by blacks and Asians, or of instances of a white referring to black and Asian claims of racism perpetrated by whites.

The reason that the definition cannot logically be stretched to cover such instances is that the Act does not distinguish in its general provisions between racial or cultural groups, ie everyone is equal before the law. Ergo, that which is legal for blacks and Asians to refer to must be legal for whites to mention. Robert Henderson's letters to the Blairs only contained complaints about publicly reported instances of acts of anti-white racism perpetrated by black Labour MPs and complaints from Asians of white-sponsored racism within Labour

constituency parties. By definition, they could not have constituted an offence.

To the manifest absence of criminal behaviour on Mr Henderson's part may be added the truly incredible fact that the complaints were brought six weeks after his last letter to Tony Blair and two weeks after his last letter to Cherie Blair. Therefore, it was not a continued correspondence which prompted the complaint to the police.

A very different picture from that of the New Moral Labour Party which Blair had assiduously built.

Why then did the Blairs make a complaint? Consider these facts. The Blairs went to the police shortly after Mr Henderson began circulating copies of his correspondence with them, Frank Dobson, and Diane Abbott to the media and the Tory party. This correspondence showed Blair to be both arrogant and unwilling to discipline his own MPs; Dobson to be straightforwardly refusing to do his duty as his MP (presumably for party and ideological reasons); and Abbott to be hypocritical. There was also the incredibly unpleasant and dangerous (for Labour) fact that he was pointing to the racist mote in Labour's eye. A very different picture from that of the New Moral Labour Party which Blair had assiduously built. That Blair should consider getting himself involved in three criminal cases during the most important six weeks of his life (the pre-1997 General Election period) shows how much he feared these facts being made public.

Since they went to the police in March 1997, the Blairs have refused to answer his complaints and enquiries to them about their behaviour and the *Mirror* article in

any way. They have failed to take criminal or civil action against him since the publication of the *Mirror* story, despite the fact that they know that he has given a very wide distribution to accusations against them which if untrue would be massively libellous. Both Mr Henderson's MP, Frank Dobson, and the Labour Party General Secretaries, Tom Sawyer and Mary McDonagh, have refused to investigate his complaints against either the Blairs or the Labour Party *Mirror* informants.

The *Mirror* staff have refused either to defend their story or allow Mr Henderson an opportunity to reply. The *Mirror* editor, Piers Morgan, has admitted in a letter to the PCC that he does not have any letters to substantiate his story.

The full extent of Mr Henderson's efforts to enlist the help of those in a position of power or influence can be seen from the accompanying table. The uniformity of response has been complete. Not one of the individuals or organisations he has contacted has been willing even to meet him to discuss the matter, let alone take up his case. Perhaps the most extraordinary part of the affair is the utter failure of the media to take up the story.

Consider what they have universally ignored since March 1997. The *Mirror* story is sensational both in content and presentation. It involved the man who was almost certain to become Prime Minister. A general election campaign was about to commence. Yet not one newspaper or broadcaster took up the story or approached him. Nor, despite the most immense efforts, has he been able to elicit any overt media interest either before or since the election.

What could the media have done without any fear of libel suits from the Blairs? They

could have approached Mr Henderson for an interview. They could have run after the *Mirror* story. They could have pursued the involvement of Labour HQ and the Police.

Blair could also have been asked the following questions without running the risk of libel:

Why did he wait for six weeks after Mr Henderson's last letter to him before going to the police?

Having attempted to have Mr Henderson prosecuted for criminal offences, why did he never take civil action - with its much lower standard of proof - against him?

How could two such experienced lawyers as the Blairs be so mistaken about the validity of their complaints that the CPS rejected them on the day they were referred to them?

Not one of the individuals or organisations he has contacted has been willing even to meet him to discuss the matter

Mr Henderson has hard evidence (seen by myself) that further action will be taken against him when Blair feels it safe to do so. The Belgravia police printout contains two seemingly banal phrases. The first is "[Blair] did not wish, with an election looming to start collecting evidence against an irritant like Henderson"; the second: "There is no further action to take at present by officers from Belgravia".

Consider those statements against these facts. The only contact Mr Henderson has ever had with the Blairs is by letter. The only evidence the police had were his letters. The CPS had summarily refused the Blairs' complaints. He was officially guilty of no crime. Therefore, the

Individuals and Organisations who refused help

POLITICS

All current Tory MPs (164)
Each Cabinet Minister
Two dozen Labour "rebels"
Paddy Ashdown
The Leaders of every minority Commons Party
Independent MP Martin Bell
Several dozen ex MPs
A dozen cross-bench Lords
The Speaker

JUSTICE

The DPP
The Metropolitan Police Commissioner
The Head of Special Branch
Each Law Lord

The Crown Prosecution Service
The Metropolitan Police
The Metropolitan Police Committee
The Interception of Communications Tribunal
The Security Service Tribunal

THE MEDIA

All National Newspapers
The Press Complaints Commission
The BBC - ITN - Channel 4
John Birt (BBC Director General)
Each BBC Governor
The Broadcasting Complaints Commission

OTHER ORGANISATIONS

Justice - Liberty - The Freedom Association - Charter 88

police by definition had no legitimate reason to investigate him further. The same general objection applies to the use of the security services to spy on him. So why the suggestion that further action might be taken in future?

Mr Henderson also has evidence of the Blairs' political motivation in making the complaints against him and their personal animosity towards him. A letter from Bob Farley of the Metropolitan Police's DPA administration office states that the Blairs made these statements on the Belgravia Police record: that Mr Henderson had "far right wing views" (political motivation based on the false premise that Mr Henderson is an extreme right-winger) and "an irritant like Henderson" (personal animosity).

he has met with nothing but wilful obstruction...

The most sinister aspect of this affair is the manner in which the justice system has failed. From the Crown Prosecution Service and the police Mr Henderson believes that he has met with nothing but wilful obstruction in his attempts to investigate exactly what happened - the police essentially refuse to correspond with him, while the CPS engages in unending prevarication. Moreover, the complaints he has made to the police have been treated in a manner which ranges from the wilfully incompetent to the unreservedly corrupt. The most blatant maladministration of justice is the Metropolitan Police's refusal to record a complaint against the *Mirror* and an unnamed police source. The *Mirror* has admitted in writing to the PCC that they received information about the Blairs' complaints against him from a police officer in circumstances which can only have been illegitimate. The Met have refused to record the complaint. The Police Complaints Authority claim that they cannot act unless a complaint is recorded. The logic of this is that the police can get rid of any complaint by the simple procedure of not recording it.

Equally worryingly, when Mr Henderson has tried to get solicitors to take up the case, every single one has refused, either on the grounds that they are too busy or that Cherie Blair works for them.

The bottom line is that while Blair remains as Prime Minister, Mr Henderson is effectively without the protection of the law. Is this what we all might expect in the future from Tony Blair's New Labour 'Third Way' Britain?

● A longer account of the Henderson case appears at - <http://freespace.virgin.net/old.whig/flc028.htm>

AN ADDICT WRITES

by Dr Robert Lefever

David Wedgewood, Kenneth Eckersley, and Paul Anderton have each written articles for *The Individual* on the subject of drugs. To my mind, as an addict myself, with addicts in my family and with twelve years experience of seeing three hundred and fifty addicted patients on an out-patient basis each year, I would say to each of these writers "Close - but no cigar".

Ayne Rand's *Atlas Shrugged* revolutionised my political thinking. I resigned from the National Health Service and to this day I work in fully private medical practice. If work for the State were to become compulsory I would go on strike and refuse to work as a doctor, my chosen profession for over thirty years. In my time I have been an advisor to the Libertarian Alliance and on the night of the Brighton bomb I spoke at a fringe meeting of the Conservative Party on the subject of de-criminalisation of drugs. I was a signatory to the recent Independent campaign for the de-criminalisation of drugs. My libertarian credentials could hardly be better.

Yet on the subject of drugs I often find myself in disagreement with other libertarians - a process which I consider intellectually healthy - perhaps because I know something about the subject. I do not argue that one has to be an addict in order to understand anything about addiction (indeed, active addiction takes one progressively further away from understanding anything at all) but it certainly helps.

The thinking part of my brain enables me to function effectively, professionally and personally, but it has always been easily over-ridden by the emotional component. I have always taken actions because they influenced my mood. Subsequently I rationalise them. I like Terry Patchett's description of Captain Vimes (*Guards! Guards!*, Corgi Books) as being born two drinks short, always trying to catch up, but repeatedly getting the dose wrong.

My wife, whose father died from alcoholism, thinks and acts rationally. After thirty-seven years of married life I still don't understand her. My father is red/green colour blind. I cannot imagine the world through his eyes. So what? We still have plenty in common and our relationships are not damaged but enhanced by acceptance of our differences. My wife and father use mood-altering substances and processes socially and can regularly control their use. I can't: once I start to use them in any day I lose the ability to predict further use or

abstinence. I have discovered, painfully, that it is better for me not to start.

As with any other addict, I had to learn the hard way: through the painful consequences of my behaviour.

However, mere self-control puts me into the wretched "dry-drunk" state in which I crave mood-alteration but deliberately resist it. In such circumstances I am poor company. Only by reaching out to help other addicts anonymously am I able to substitute that benign mood-altering process for the damaging mood-altering substances, or process, I previously used.

I don't expect others to understand this aspect of my nature - any more than I understand my wife or father - nor do I expect people to make allowances for me. I alone am responsible for my thoughts, feelings, actions and reactions. I acknowledge that my eyes are short-sighted and I therefore wear glasses in order to be functional. There are things I cannot do (see under water) and things I have to do (wear my glasses each day if I am not to damage myself and other people). By the same token, each day I have to acknowledge that I am an addict by nature and do or do not do various things in order to keep myself functional and in equanimity.

But the analogy with short-sight has one fundamental flaw: I have never had any doubt that I am short-sighted but I have repeatedly and exceedingly firmly resisted any concept that I might be an addict. Addictive disease (the tendency - probably genetically inherited - that leads one to towards the use of mood-altering substances and processes, rather than simply the use of those mood-altering substances and processes themselves), affects my perception. Indeed, the most pernicious aspect of addictive disease is that it "tells" me that I haven't got it. As with any other addict, I had to learn the hard way: through the painful consequences of my behaviour.

It is precisely this aspect of my understanding that sets me apart from some libertarians. I had no freedom when I could

not perceive my defect. I had my full set of intellectual armour but no insight. Even now I am happy to apply all libertarian principles on the use of mood-altering substances and behaviours to my wife and father - but they don't apply to me.

I recall my son Robin (another addict and now the director of our treatment centre) being dumfounded when, after an operation, my wife refused an offer of an injection of Morphine on the grounds that she was not in sufficient pain. "Freebie, mum, freebie", he said, to my full comprehension but not to hers.

I believe addicts have a defect in neuro-transmission in the mood centres of the brain. We lack sufficient receptors for the chemicals that transfer electrical signals from one nerve cell to the next. We discover for ourselves the substances and processes that have the capacity to augment that process: alcohol, cannabis and cocaine work, rhubarb and potatoes do not. Small wonder that we addicts clamour for the decriminalisation (if not the actual legalization) of substances that we hold so dear. Indeed, for us these substances have often been life-saving. (The Samaritans estimate that thirty to forty percent of all suicides are in alcoholics alone so the proportion will be significantly higher when all addicts are taken into account). Only when these substances become damaging through repeated use do we become concerned that they might be harmful as well as helpful to us. Then, when we find that we can't give

up once we start to use them in any day, we question our own intelligence, will-power, maturity, and sanity. Small wonder so many commit suicide.

I believe addicts have a defect in neuro-transmission in the mood centres of the brain. We lack sufficient receptors for the chemicals that transfer electrical signals from one nerve cell to the next.

I see no reason why my wife and father should be prohibited from using mood-altering substances simply because my son and I have discovered that we lack the innate ability to use them sensibly and responsibly. However, for my wife and father that permission or restriction is no big deal. Given the opportunity to use a mood-altering substance, be it legal or illegal, prescribed, social, or normally classified as food, they are indifferent whereas my son and I have very firm views indeed and we gaze at our benighted family members with total incredulity, just as they gaze at us with corresponding confusion.

If we are to have a government (and I remain unconvinced on the virtue of such a concept) then we should give it information. One in five of all hospital beds are occupied by people with alcohol-related conditions. One in two of all people seen in Accident and Emergency Departments are there as a result of use of alcohol or drugs. Five people a day die of the effects of illegal drugs, one hundred from alcohol,

three hundred from nicotine. Methadone (the "safe" substitute) now kills more people than heroin.

The tendency towards addictive behaviour knows no economic or social boundaries but runs in families. Instead of teaching medical students how to treat the consequences of addictive behaviour (cancers, heart attacks, liver disease, overdoses, AIDS, and so on) we should teach them to identify addictive disease itself and refer patients to specialist centres that know how to deal with it through total abstinence 'one day at a time'.

Instead of frightening (and hence subjugating) the entire population we should target primarily those families who are most at risk - those in whom there is an existing history of addiction of one kind or another - and do what we can to help them before they destroy themselves and other people. There would be no massive influx of illegal drugs into our country if there were no addicts clamouring for them. The fault, dear minister, lies in ourselves.

Libertarian I remain. My work for addicts is to help them to be free from compulsion. In this respect the external compulsions that come from the State or from social convention are nothing in comparison with the intensity of the compulsions that come from within. I don't like the State but I like my own addictive nature, and that of others like me, even less. We need to fight our battles in the right order.

SIF rogues

SIF's Chairman Michael Plumbe, Vice-President Sir Richard Body MP, and Martin Ball, at a Bruges Group meeting where the guest of honour was Lady Thatcher.



AYN RAND'S PHILOSOPHY OF OBJECTIVISM

by Edward W. Younkins

Ayn Rand (1905-1982), a best selling novelist and world-renowned philosopher, deductively developed a unique philosophical system called Objectivism which has affected many lives over the last half century. This article represents an introduction to her systematic vision by presenting her essential ideas in a logical, accessible manner. This should contribute toward the appreciation of Rand's profoundly original philosophical system.

The specific purpose of this article is to introduce, logically rearrange, and clarify through rewording the ideas scattered throughout her essays, lectures, and novels, especially *Atlas Shrugged* (1957), her masterwork of logic that most completely expounds her exhaustive, fully-integrated, philosophy. Written from the viewpoint of a generalist in economics, philosophy, and the social sciences, I mean to provide a background for readers who wish to study specialized aspects of Rand's philosophy in greater detail.

The Essence of Objectivism

Hierarchically, philosophy, including its metaphysical, epistemological, and ethical dimensions, precedes and determines politics which, in turn, precedes and determines economics. Rand bases her metaphysics on the idea that reality is objective and absolute. Epistemologically, the Randian view is that man's mind is competent to achieve objectively valid knowledge of that which exists. Rand's moral theory of self-interest is derived from man's nature as a rational being and end in himself, recognizes man's right to think and act according to his freely-chosen principles, and reflects a man's potential to be the best person he can be in the context of his existing circumstances. This leads to the notion of the complete separation of political power and economic power - that proper government should have no economic favours to convey. The role of the government is, thus, to protect man's natural rights through the use of force, but only in retaliation and only against those who initiate the use of force.

Rand bases her metaphysics on the idea that reality is objective and absolute.

Capitalism, the resulting economic system, is based on the recognition of individual rights, including property rights, in which all property is privately owned.

For Rand, capitalism, the system of laissez-faire, is the only moral system.

A is A: Deriving the "Ought" from the "Is"

Rand's defence of the above positions begins with the premise that existence exists - A is A. Her philosophy, Objectivism, contends that the universe has existed eternally and repudiates the idea of its creation by a rational, omnipotent God.

Objectivism's ethical system rests upon the claim to have derived the "ought" from the "is." The defence of this claim starts by inquiring about the facts of existence and man's nature that result in value - that which one acts to gain and/or keep. The concept of value presupposes an entity capable of acting to attain a goal in the face of an alternative. Where no alternative exists, no goals and therefore no values are possible. The one basic alternative in the world is existence vs. non-existence. Since the existence of inanimate matter is unconditional, it is only a living organism that faces the constant alternative of life or death. Inanimate matter may change forms, but it cannot go out of existence. When a living organism dies, however, its basic physical elements remain, but its life ceases to exist. Life, the process of self-sustaining and self-generated action, makes the concept of "value" meaningful. An organism's life is its standard of value. Whatever furthers its life is good and that which threatens it is evil.

The nature of a living entity determines what it ought to do. All living entities, with the exception of man, are determined by their nature to undertake automatically the actions necessary to sustain their survival.

Man, like an animal or a plant, must act in order to live and must gain the values that his life requires. Man's distinctive nature, however, is that he has no automatic means of survival. Man does not function

by automatic sensory or chemical reactions. Thinking, the process of abstraction and conceptualization, is necessary for man's survival. Thinking, man's basic virtue, is exercised by choice - man is a being of volitional consciousness.

Reason, the faculty that perceives, identifies, and integrates the material provided by the senses, does not work automatically. Man is free to think or not to think. The tool of thought is logic - the act of non-contradictory identification.

According to Rand, man has no innate knowledge and, therefore, must determine through thought the goals, actions, and values upon which his life depends. He must discover what will further his own unique and precious individual human life and what will harm it. Refusal to recognize and act according to the facts of reality will result in his destruction.

The Randian view is that the senses enable man to perceive reality, that knowledge can only be gained through the senses, and that the senses are able to provide objectively valid knowledge of reality.

For man to survive, he must discern the principles of action necessary to direct him in his relationships with other men and with nature. Man's need for these principles is his need for a code of morality. Men are essentially independent beings with free will; therefore, it is up to each individual to choose his code of values using the standard that is required for the life of a human being. If life as a man is one's purpose, he has the right to live as a rational being. To live, man must think, act, and create the values his life requires.

Without self-value, no other values are possible. Self-value has to be earned by thinking. Morality, a practical, selfish necessity, requires the use of man's rational faculty and the freedom to act on his judgments. A code of values accepted by rational choice is a code of morality - choice is the foundation of virtue. Happiness is the state of consciousness that results from the achievement of one's values.

Since men are creatures who think and act according to principle, a doctrine of rights ensures that an individual's choice to live by those principles is not violated by other human beings. For Rand, all individuals possess the same rights to freely pursue their own goals. Since a free man chooses his own actions, he can be held responsible for them.

Values and Virtues

Rand explains that to live, men must hold

three ruling values - reason, purpose, and self-esteem. These values imply all of the virtues required by a man's life. Rationality, the primary virtue, is the recognition of objective reality, commitment to its perception, and the acceptance of reason as a man's only judge of values and guide to knowledge and action. Independence, the acceptance of one's intellectual responsibility for one's own existence, requires that a man form his own judgments and that he support himself by the work of his own mind. Honesty, the selfish refusal to seek values by faking reality, recognizes that the unreal can have no value. Integrity, the refusal to permit a breach between thought and action, acknowledges the fact that man is an indivisible, integrated entity of mind and body. Justice, a form of faithfulness to reality, is the virtue of granting to each man that which he objectively deserves. Justice is the expression of man's rationality in his dealings with other men and involves seeking and granting the earned.

Without self-value, no other values are possible. Self-value has to be earned by thinking.

A trader, a man of justice, earns what he receives and neither gives nor takes the undeserved. Just as he does not work except in exchange for something of economic value, he also does not give his love, friendship, or esteem except in trade for the pleasure he receives from the virtues of individuals he respects. Love, friendship, and esteem, as moral tributes, are caused and must be earned. Productiveness, the virtue of creating material values, is the art of translating one's thoughts and goals into reality. Pride, the total of the preceding virtues, can be thought of as moral ambitiousness.

Capitalism and Individual Rights

Rand's justification of capitalism is that it is a system based on the logically derived code of morality outlined above - a code of morality that recognizes man's metaphysical nature and the supremacy of reason, rationality, and individualism. The ruling principle of capitalism is justice. The overall social effect - the fact that individuals and groups who live under capitalism prosper - is simply a byproduct or secondary consequence. Political and economic systems and institutions which encourage and protect individual rights, freedom, and happiness are proper systems.

A right is a moral principle defining

and sanctioning a man's freedom of action in a social context. According to Rand, rights are innate and can be logically derived from man's nature and needs. The state is not involved in the creation of rights and simply exists to protect an individual's natural rights. There are no group rights - only individual rights. Group rights are arbitrary and imply special interests.

Humans are material beings who require material goods to sustain their existence. If one's life is the standard, man has the right to live and pursue values as his survival requires. He has the right to work for and keep the fruits of his labour - the right of property. Without property rights, no other rights are possible. A man who has no right to the product of his efforts is not free to pursue his happiness and has no means to sustain his life.

A violation of a man's property rights is an expression of force against the man himself. The purpose of government is to protect man's rights (including property rights) and enforce contractual agreements - a breach of contract is an indirect use of force. The state's function is thus restricted to the retaliatory use of force.

Under Randian capitalism, which historically has never existed, there is a complete separation of state and economics. Men deal with each other voluntarily by individual choice and free trade to their mutual benefit. The profit motive is just and moral. Profit is made through moral virtue and measures the creation of wealth by the profit-earner. The market price is objectively determined in the free market and represents the lowest price a buyer can find and the highest price a seller can obtain. Freedom guarantees that both parties will benefit - no one is willing to enter into a one-sided bargain to his detriment.

A person's wealth under capitalism depends on his productive achievements and the choice of others to recognize them. Rewards are tied to production, ability and merit. A producer can do with his wealth what he chooses. Charity is rational, objective, and genuine when, rather than being offered indiscriminately, it is offered only to those who deserve it. Generosity toward those who are innocent victims of injustice or who are fighting against adversity is proper. It is wrong to help persons with no virtue. By giving unconditionally you deceive the recipient into thinking that wealth and happiness are free. Charity must be voluntary. Forced redistribution will result in the curtailment of effort of the productive and a decrease

in the amount of real wealth (i.e., real virtue) within society.

1 Randian Scholarship: Problems and Controversies

As to be expected, Rand's original system of thought has not gone without criticism. A few of the most common criticisms are discussed below.

Rand claims that all of a man's knowledge of reality comes through the senses. She also takes for granted the validity and objectivity of the senses. Nowhere does she disprove that knowledge can be gained through and/or enhanced by other sources such as revelation by God, existential encounters, mystical experiences, and the human emotions. Knowledge that comes through a man's senses varies with respect to its accuracy. Concepts are abstractions and are not equal to their referents. Not only are man's senses and brain fallible, he is also limited by his own subjectivity and perspective - alone he may be able to perceive some aspect of reality, but very seldom can he see the whole picture. In those cases in which he does perceive reality accurately, he cannot totally prove it since if, as Rand maintains, the senses and the brain are the only means by which we know reality, there is no way to compare reality with perceptions created by the brain.

A right is a moral principle defining and sanctioning a man's freedom of action in a social context.

Rand contends there are no reasons to believe in God. For her, the idea of God is offensive and humiliating to man since it would mean that man is not the highest being in the world. Her position is that without God it is up to man alone to pursue his own happiness and create his own values. Freedom for Rand means the non-existence of a Creator. Nowhere, however, does she attempt to refute arguments for the existence of God such as Aristotle's unmoved mover, Aquinas' five proofs, Anselm's ontological argument, and James' argument from mystical experience.

Rand's repudiation of altruism seems to be due to the unusual way that she defines the term. Her idea of altruism is that man must selflessly place the welfare of others above his own. A more common idea, however, is that altruism is a man's concern for or dedication to others' interests in addition to his own. Charity, compassion, and the desire to give pleasure to others can have their place in

human relationships as long as they do not play a principal, determining role, or are accomplished through the involuntary redistribution of individuals' wealth.

According to Rand, it is wrong to help a person with no virtues. To the Christian, however, life's right action involves consideration for the welfare of all others - every person is an end in himself and is potentially redeemable. Perhaps Rand should have simply stated that charity must be freely given and left it at that.

2. Ayn Rand: A Radical But Serious Scholar

Despite inciting a number of vehement and critical commentaries, Rand's controversial, original, and systematic philosophical positions should be taken seriously and treated with respect. She persuasively expounded a fully integrated defence of capitalism and the component metaphysical, ethical, epistemological, psychological, social, political, cultural and historical conditions necessary for its establishment and survival. Rand presented Objectivism as an integrated new system of thought with an organized, hierarchical structure.

Whatever one's ultimate evaluation of her theories, Rand's unique vision should be considered worthy of comprehensive, scholarly examination.

ENDNOTES

1. Readers wishing to study Rand's work in more detail should see: Douglas Den Uyl and Douglas Rasmussen, eds., *The Philosophical Thought of Ayn Rand* (Chicago: University of Illinois Press, 1984); Leonard Peikoff, *Objectivism: The Philosophy of Ayn Rand* (New York: Dutton, 1991); Ronald E. Merrill, *The Ideas of Ayn Rand* (La Salle, Illinois: Open Court, 1991); and Chris Sciabarra, *Ayn Rand - The Russian Radical* (University Park, Pennsylvania: The Pennsylvania State University Press, 1995).

2. Extended critiques of Objectivism have been offered by the following: Albert Ellis, *Is Objectivism a Religion?* (New York: Lyle Stuart, 1968); William F. O'Neil, *With Charity Toward None: An Analysis of Ayn Rand's Philosophy* (New York: Philosophical Library, 1971); and John W. Robbins, *Answer to Ayn Rand: A Critique of the Philosophy of Objectivism* (Washington, D.C.: Mount Vernon Publishing Company, 1974).

● Dr Younkins is Professor of Accountancy & Business Administration at Wheeling Jesuit University, USA.

TALKING ABOUT SMOKING

by Judith Hatton

Re-reading Magna Carta the other day, I was struck again by how much of it involves stopping the ruler getting his hands on his subjects' money. This of course is the reason why it mostly seems to refer to the nobility, because they were the ones who had the money. But it affected the common people too, because the nobility had to raise the money from them. So the document shows the remarkable amount of political sophistication possessed by those medieval barons. They understood too well that the more money our rulers have the more of a nuisance they can make of themselves.

Politics becomes a complicated game of stopping rulers dipping too deeply into our pockets, and the rulers thinking up ever more right-sounding ways of doing this.

Nowadays they can't use such once useful devices as raising money to go on a Crusade (and then not going), marrying their eldest daughter, and such-like. They have to persuade us that the money is being spent on something that is going to do us all a lot of good, like our state education system. Or the National Health Service, that answer to every hypochondriac's and drug company's prayer. We are constantly told that it has had such a dramatic effect on our health, though countries without it seem to do just as well or better in making life more healthy. There have been murmurs that private enterprise has done much more, in real terms, by providing better housing, healthier food, easier means of washing oneself and one's clothes, and other conveniences of modern living, and that in fact all that the health services have done is to prolong our lives by something like five years. Since those last five years are usually the most unpleasant time of our lives, this may not be such a great advantage.

Nevertheless, the health card is always a good one to play. The western world in general has never been so healthy, nor so concerned about its health. So you play that card. Interestingly, at the very start of the smoking debate King James the first did it, and so did Cardinal Richelieu, neither of them people you would accuse of troubling themselves much about the welfare of others. But James followed up his infamous attack on tobacco with a swingeing tax on it, and later taking over the entire tobacco trade himself, and Cardinal Richelieu, 25 years later, spelt it out for us: he was taxing tobacco, he said, because it was bad for you.

These two pioneers opened the way for future governments. It is always appealing to certain people to attack the

pleasures of others, especially if there's money in it, and if you can prove that these pleasures are actually harmful, it is a proof that you are good and nice, as well as richer than you were.

A leading anti-smoker, Stanton Glantz, a qualified mechanical engineer who used to run quitting smoking seminars for profit and is now a professor of cardiology at a Californian university - no-one seems to know quite why - put it neatly at an anti-smoker conference in Australia in 1990, when he said:

'The main thing the science has done on the issue of ETS (so-called passive smoking) in addition to help people like me to pay mortgages, is it has legitimized the concerns that people have that they don't like cigarette smoke. And that is a strong emotional force that needs to be harnessed and used. We're on a roll, and the bastards are on the run.' (I must point out that this is his grammar, not mine).

Of course he was referring to the comparatively new pseudo-scientific notion of the above-mentioned passive smoking, but the general feeling in his statement applies equally well to that of all the prominent anti-smokers in history.

Cardinal Richelieu, 25 years later, spelt it out for us: he was taxing tobacco, he said, because it was bad for you.

And a distinguished lot they are, including King James, surely one of the most unattractive figures ever to rule a country, and Cardinal Richelieu, one of the most unpleasant (the kindest remark I've seen made about him is in my German encyclopedia, which refers to his '*daemonische Ueberlegenheit*', his demonical superiority). Then there was Sultan Murad IV, who at his death at the age of 28 had killed something like 100,000 of his own people in various horrible ways,

many for the crime of smoking, and Adolf Hitler.

To do the last two justice, they don't seem to have done it for the money, just for fun. And Hitler, like James, had another motive; as James put it, in his way:

"... is it not the greatest sin of all, that you the people of all sorts of this kingdom, who are created and ordained by God to bestow both your person and your goods for the maintenance both of the honour and safety of your King and Commonwealth should disable yourselves in both?"

I'm sure that Hitler did not put it so picturesquely, but the sentiment was precisely his: good Germans existed for the good of the state, and it was up to them to preserve their health for that. We have seen something like this in recent pronouncements of our own beloved government: smokers are a nuisance to the state because they get diseases, which then cost the government money. Non-

smokers do not, it seems.

At this point something should be said about statistics, but I won't say much. What I knew about statistics before I started work on this subject was what most of us know: that there are lies, damned lies, and statistics, whoever it was who said it first. After seven years hard work involving many statistics that's all I know now.

I'll give you just two examples:

In Denmark, storks are more likely to be nesting on the roofs of houses in which large families live. Large families are likely to be living in larger houses, with more roof space and more chimneys for the storks to nest by.

And a well-known British statistician, faced with the undoubted fact that the lung cancer rate in Japan is low in spite of the fact that the Japanese are the second heaviest smoking nation in the world, declared that it was because the Japanese hadn't started smoking until 1948. The Japanese record their social history very carefully, and tobacco was introduced

there in 1542. They took to cigarettes very readily when they were introduced from the west, and in 1906, the first year in which official figures were published, 47 million Japanese smoked 34 billion cigarettes. Since almost no women smoked, and there was a high birth-rate, so that many of the 47 million must have been too young to smoke, this points to a high smoking rate among the men. In 1920, indeed, it was estimated that the rate among the men was similar to that in the US. So much for 1948.

Smokers are a nuisance to the state because they get diseases, which then cost the government money. Non-smokers do not, it seems.

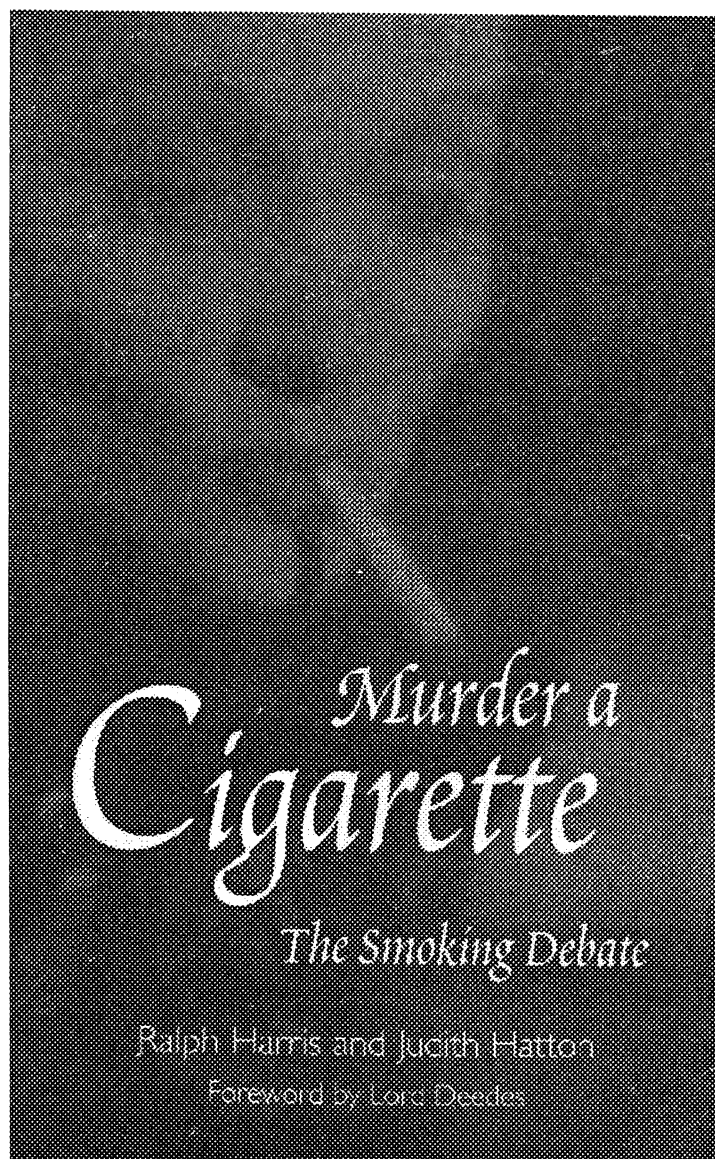
I could go on and on. There are innumerable examples of figures that don't fit, that have been manoeuvred into fitting, that have simply been lied about. As the old statistical saying has it, if you torture the data long enough they'll confess.

Take it from me that the more statistics are thrown at you, the more likely you are to hear a lot of nonsense. Someone said that in the world a smoker dies every 13 seconds. Poor man. But if you dig out the rest of the figures, you'll find that in every 1.7 seconds someone dies. Given that at least a quarter of the world is probably smoking something, the odds are rather in our favour.

In this country we were told that 300 smokers die a day. Again digging out some figures, you'll find that more than 1,700 people die a day. Given that about a third of the population are smokers, you have to conclude that a substantial number of smokers aren't dying at all.

So why, apart from the constant need of governments to think of reasons for parting us from our money, has this anti-smoker movement taken off in the way it has?

Of course, as Professor Glantz so innocently put it, it does pay a lot of people's mortgages. And in his case rather more than that, since he has had several million of dollars in grants to continue his work, besides his salary from the university. Scientists need money to live just as much as other people do, and they need grants to continue their work. Since most of these grants come from government, there is obviously difficulty in producing results that don't fit in with current government policy. There has been plenty of discussion about this among scientists who can afford to be independent for one reason or another, or who are just naturally given to telling the truth. Thank heaven



for them. And there is the second reason given by Professor Glantz: the people who don't like cigarette smoke. Now I'm sure I speak for all when I say that there are a lot of things we don't like. I don't like people who play loud music near me, who don't use deodorants, who do use powerful toilet waters, after-shave and hair lotions not of the highest quality, who drink a lot of beer or cheap wine, don't wash themselves or their clothes much, and eat garlic, sometimes all at once.

For these, the wholly artificial and unjustified campaign about 'passive smoking' has been a godsend.

You can't say: 'Please put out your garlic' or 'kindly take your armpits into the garden'. We have to suffer in silence; let the others endure our smoke, which does at least mask some of the other horrors.

But there are always people looking for things to complain about. Their back pains, their children, their problems with their sex lives, aren't enough. For these, the wholly artificial and unjustified campaign about 'passive smoking' has been a godsend. You might like to know that the matter kicked off in Germany, where Hitler once had no difficulty in finding scientists to confirm his view. 'Passiver Zigarettenrauchbeatmung' is the term you might like to use.

My favourite victim of this was a lady on the internet who stated that if she entered a room in which a cigarette was being smoked, she dropped dead in one minute. I wonder how exactly she timed it?

But there are worse people than these. Again Professor Glantz gives us the clue. 'We're on a roll...' what a cry of triumph. It is not as easy as it was to find someone to exercise power on. We have no serfs any more, and women are more likely to be doing the bullying (some say they always were). The anti-smokers boast that they have turned smokers into social outcasts, pariahs, objects of hate. Only a few days ago, I and another peaceful smoker were accused of having a 'filthy habit' - a very common term of abuse, and filthy was a favourite word of King James. Appropriate, since he was famed for never washing. I looked at our two abusers, and one had a purple nose and a general air of having been pickled in something nasty, and the other certainly weighed as much as us two smokers put together. But did we say what about your filthy habits? No, we lit up again and smiled.

It may be this general courteous and placid reaction of the smokers to this sort

of offensiveness that leads the antis towards the ugliest manifestation of all: the appalling hatred that can be righteously displayed. 'Daemonische Ueberiegenheit' indeed.

In the tea-room attached to a much visited and very beautiful abbey church in Oxfordshire there was once displayed, and for all I know still is, a notice saying: 'Smokers most unwelcome and evicted immediately'. The Oxford English Dictionary defines 'evict' as 'expel (person); recover by legal means.' Is there a muscular curate on call in the back room who will charge out, wielding the bishop's crook borrowed for the purpose? Or have the good ladies, none in the first flush of youth, been learning karate? Is there a learned attorney as well as the curate in the back? It's easy to make fun of, but there is an uncomfortable feeling behind it: real hatred. It is meant to hurt, and no doubt has done so.

There are people who define themselves by their hatreds. 'I hate, therefore I am'. Hating may well be something these people can do better than thinking. They need a hate object.

The trouble is that nowadays in the West at least it isn't easy to find objects of hatred. We have to be so nice about everyone. Political correctness is very nice. Jolly little stories about an Englishman, an Irishman and a Scotsman are forbidden (I have a small illicit collection, and am always grateful for additions to the canon). The only races you can safely even mention are white, Christian, educated American or English men, and even then you have to be careful of lumping women in with them, or you'll get the feminists after you.

You must not be anything less than wildly enthusiastic about anyone's sexual preferences, even though the sort of free and frank discussion this involves may sometimes make you feel slightly sick.

You must be non-judgmental about crimes, which sometimes seems to come close to being enthusiastic about those too.

So we are all short of objects of hate. We need our bastards, to, as Professor Glantz says, put them on the run.

It's easy to make fun of, but there is an uncomfortable feeling behind it: real hatred. It is meant to hurt, and no doubt has done so.

Unfortunately this is getting beyond a joke for some people: the smokers refused medical treatment (one at least has died as a result), and those facing a heart operation

who have been told by their surgeons that they won't get it unless they give up smoking. And this in face of evidence clearly showing that smokers do better than non-smokers in some heart conditions.

But even this cruelty fades beside that of the doctors who continued to blame mothers who smoked for the cot deaths of their babies, even after it had been proved that most of these had been caused by standard medical advice to put them to sleep on their stomachs.

An anti-smoker said that it was awful that people saw smokers as - shock, horror - enjoying themselves.

And there are many other ways in which the people who like making others miserable can engage in their unpleasant hobby. The fact that these always involve some curtailment of the personal liberty of others seems to add spice to it.

And there is another basic instinct in some people that also comes into it: the resentment of other people's pleasure. I'm always amused, incidentally, by those new puritans who insist that the little groups of smokers now a feature of the doorways of so many office buildings are 'miserable'. They always seem to be in fits of laughter and look as if they're enjoying themselves like anything.

This was memorably described in a World Health Organization conference on smoking into which I managed to smuggle myself under my maiden name and with a politically correct expression on my face - and that *was* miserable.

A speaker who said he didn't mind being called a health fascist and he was a health fascist and was looking for the Holy Grail, which seemed to show some ignorance about fascist aims, said that it was awful that people saw smokers as - shock, horror - enjoying themselves.

Could there be a better reason in the minds of some people to abuse others, to tax them to the point of actual suffering, to curtail their liberty?

Signed copies of *Murder a Cigarette* are available from FOREST. Send a cheque/postal order for £7.95 - payable to FOREST Ltd - to FOREST, Audley House, 13 Palace Street, London SW1E 5HX. Telephone 07071-766537.

Further information on the work of FOREST in promoting equal rights for smokers can be accessed at:

www.forest-on-smoking.org.uk

CHAIRMAN'S CHAT

by Michael Plumbe

Parliament by Numbers

Let me start with a jolly piece by Matthew Parris (2/12/98, quotes are from *The Times* unless otherwise noted) which begins: "The Clerk will now proceed to read the orders of the day.' As the late Tom Driberg once remarked, once you realise that this daily proclamation from the Chair can be sung to the tune of John Brown's body lies a-mouldering in his grave (sic), it becomes impossible to take it seriously."

I nearly choked over my toast as I read this. Parris goes on to suggest that most of the fatuities in the Commons could be given numbers. "Instead of a Tory shouting 'When are you going to get waiting lists down?'; Dennis Skinner heckling 'Ow many of you lot are on BUPA then?'; the minister replying 'I'll take no lessons from a party who for 18 years ...' (etc) - and Miss Boothroyd telling them all to shut up - it would go like this... "Tory: '7'. Mr Skinner: '16' (laughter). Minister: '21' (Hon. Members, 'hear, hear'). Madam Speaker: Order! '1!' I said '1!'"

House of Commons Lunch

We are most grateful to the Rt. Hon. Eric Forth MP for acting as our host and introductory speaker, and to Dr Alan Dean, our mainspeaker, at our House of Commons lunch in November. Over 40 people attended an enjoyable, stimulating and, at times, almost subversive afternoon. Eric Forth expounded on the way badly drafted legislation and regulation are pouring onto our Statute Book without control from Parliament. How I do so agree. He also believes that the best politicians are those who, when asked how much legislation they have helped to pass in say a year, answer 'None'. Alan Dean gave us an update on his important General Practice Research Database, which is the subject of an article elsewhere.

We were glad to welcome Kevin Donnelly, PA to Eric Forth, to the lunch. We also wish to thank Nigel Meek for introducing us to Eric; Cynthia Campbell-Savours for arranging the event; and Lucy Ryder for handling ticketing.

Zip-A-Loose

Once at school I stood trembling, and with an exercise book in my pants, before the Headmaster. 'Plumbe, I am told you were

seen sneaking into the cinema when you should have been on The Fields. Is this so?' People say it is 'character forming' to send little boys out on a wet, windy wintry day to kick an oval ball up and down a muddy field. To me the thrill of deliberately defying authority, preferably with impunity, was far better for the formation of my character. Also the film was educational (cowboys, I think) and the cinema was warm. 'Sir', I said, 'you are inviting a possible lie. If I say Yes, I shall be caned. So you expect the answer No. However I cannot give that answer because you will not know if it is the truth. You should not ask such a question.' Silence. I think I detected the ghost of a smile on his thin lips. 'Go on, get out.' I fled.

To me the thrill of deliberately defying authority, preferably with impunity, was far better for the formation of my character.

So it is with President Clinton. Not for a moment do I condone any hurt he caused his family, if hurt actually was done; this to my mind is the worst aspect of his misdemeanours. Yet, taken in isolation, do sexual pranks really have any bearing on a man's ability to govern? I think not. To my mind he should never have been asked about activities which were scarcely relevant (in his view at least) to his job in such a way that he was inevitably going to say 'No'.

An American friend countered hotly that anyone prepared to lie on oath was not fit to be the Head of the Armed Forces. Yes, I quite agree, but why put the man into the situation where what he does with his pants becomes a matter for oath-taking or risking perjury (properly, a serious offence) in the first place? Yes, servicemen in the Forces are subject to strict rules on fraternisation 'across' ranks so that discipline can be maintained, and would be questioned under oath if suspect behaviour occurred; why should the Chief be exempt? Let me try an analogy. Consider the Armed Forces to be a robot, controlled by an elected human. If a nut in the head of the robot falls for the magnetism of a screw in the foot, the robot will fail to work; discipline is compromised. However, for the human controller, if a nut in the head falls for, er, a young trainee, it does not affect the workings of the robot. Nor, I submit, does it necessarily affect the ability of the human to control the robot. It is my humble opinion, with which others are free to disagree, that the President in his elected

position should not be expected perforce to conform to a set of rules applying to a specialised group of people under his temporary 'command'.

Much prurient interest was evoked by the President's antics but should the full weight of justice and international concern be brought to bear on sexual peccadilloes? He became damned whatever he said over something quite trivial. The whole thing has got out of hand completely.

To me there appear to be far more murky matters relevant to his probity as a leader which have not been properly pursued. If he is to be judged unfit for office these other irregularities are of much more weight. But then, many a world leader has secrets which are best kept that way. In the American instance, most people of any influence knew what sort of man (draft-dodger and 'dallier', it is said, among other things) they were electing, I suggest. In spite of this, they still thought he was the best (or the least worst) man to be put into the job. So unless he fails signally in his post as President (and of course some say he is doing just this), surely he should be allowed to get on with the important tasks instead of being side-tracked over sins everyone knew he was prone to commit? Of course he was stupid to act as he did but so what? One friend tells me of a current 'Stateside' rumour, unsubstantiated I must add, that Kenneth Starr's investigation was broadened with permission from a judge who has/had strong connections with the powerful tobacco industry. As Clinton is being quite forceful in his imposition of a public no-smoking policy, there could be more to his removal from office than meets the nose. There's no smoke....

In the American instance, most people of any influence knew what sort of man (draft-dodger and 'dallier', it is said, among other things) they were electing

The true hypocrisy of the situation is that the decision whether or not to proceed with impeachment was determined by political factors and by perceived public opinion. The legality of the President's actions became an incidental matter.

A Chil(l)e Wind

Amnesia about a world leader's past leads me neatly to the next topic. My goodness, what a stir a Spanish magistrate has caused! I confess to much wry amusement at the pickle so many people have got into over the whole episode. I also note, though I

hope I am wrong, that political considerations are clouding the issue here in the UK as well. It may be that the strict letter of the law, whatever that may actually be, is not being followed.

Pinochet has made many trips outside Chile since he stepped down, and has indeed already visited Britain since Blair took office.

John Laughland, writing on 10/12/98, has an interesting article headed 'Straw is twisting the law' on this point. I quote a small bit: '... the same Western powers calling for or facilitating General Pinochet's extradition are themselves in contravention of their own undertakings to hunt down those accused of crimes against humanity in Bosnia, which they refuse to do for political reasons. It is no coincidence that the supposedly judicial, but in reality highly political, Pinochet decisions were taken by a committee within a Parliament (sic) and by a minister in a Government.'

Whatever crimes the General is thought to be personally responsible for, his regime was a great deal better than the previous one. I really think it is disgraceful that a man can be welcomed with open arms (as an arms dealer?) one minute and then arrested the next. It is also strange that we should be asked suddenly to take action by another country concerning alleged crimes committed years ago in yet a third country. Presumably this action could have been initiated much earlier. Why has it all started only now? Pinochet has made many trips outside Chile since he stepped down, and has indeed already visited Britain since Blair took office.

Two aspects of this worry me. First, some eight senior judges, three in the Courts (including the Lord Chief Justice) and five in the House of Lords (HofL), pronounced in the matter. In fact the overall 'verdict' was five judges in favour of, and three against, the General's request for release. Only because the HofL is the senior body did their 3-2 vote take precedence. Now the HofL's judgment, and Mr Straw's ratification, have been challenged.

For a number of eminent specialists in law to give dissenting opinions means that the legal situation is far from clear-cut. This indeed is frequently the position. I sometimes try to make sense of some of the legal reports in *The Times* but the jargon is often too dense and impenetrable for me. (This is perhaps inevitable; Acts of Parliament and Statutory Instruments

are themselves usually exemplars of obscurity and muddle, so making judgments based on them needs must entail using language which is difficult for the layman. Mind you, since 'ignorance of the law is no defence', I say that the creation and imposition by the administration of unintelligible laws might itself be criminal, in that those governed are given little chance of comprehending the laws they are supposed to obey.) However the important thing is that in many if not most of the cases, a significant minority of the judges give dissenting views. Now, if I were in front of the beak for wrongdoing, I would like to feel that he was administering law, not opinion.

The point is now being made that judges will increasingly be appointed on their backgrounds and expressed (political) opinions, rather than their experience in law (*S. Tel*, Leader, 29/11/98). Already there is much of this in the USA; surely it will happen here too.

All this will get worse of course as more and more European law is added to our legal system. Also most of the law emanating from Brussels is created in a foreign language by people used to working with a system of law which is fundamentally very, very different from ours. Further, the new law is deliberately designed to cover situations in all member countries; inevitably this leads to gross inconsistencies. Then the law has to be translated, perhaps more than once. Law, to be enforceable, demands precision. Yet there seems to be little check on the accuracy of the translation or the fitness of the staff to do it. The results we receive may express things quite differently from what was intended but we have no way of knowing. Unfortunately in our country the zealots in our bureaucracy go on to interpret the Brussels mish-mash in whatever way they wish, usually with disastrous consequences.

I say that the creation and imposition by the administration of unintelligible laws might itself be criminal, in that those governed are given little chance of comprehending the laws they are supposed to obey

My second worry concerns the double standards being applied. One SIF member rang me to tell me that a former ruler from a country which has an evil record on killing dissidents is (peacefully) in the UK at university studying law, ironically. The serious suggestion was that the SIF should put together a case for the DPP so that a

warrant could be taken out against the man. Such mischief might really embarrass Mr Straw. I would love to follow this up.

Their Lordships and the Closed-List System

This column is apolitical. I hold no brief for any party simply because of its colour or name. Equally I find all the parties pretty ghastly. However I do think that Blair's vindictive, spiteful attack on the HofL is specially nasty and typical of a self-satisfied, arrogant, centralist, anti-democratic administration. (One friend suggests the HofL should consist entirely of hereditary peers to ensure having one house untainted by the hazards of democracy. I like it.)

My own MP, Iain Coleman, has written in a local paper praising the closed-list system of voting for MEPs as being democratic. He also lambasts the Lords and follows his leader in saying how badly Their Hereditaryships have behaved. He is I believe an intelligent man; how he can go along with this nonsense is beyond me, except of course that he is paid to do so.

One friend suggests the HofL should consist entirely of hereditary peers to ensure having one house untainted by the hazards of democracy.

One MEP has pointed out that, because the Party does the vetting and campaigning, he does not himself need to waste a huge amount of money wooing voters. As election campaigning is becoming ever more expensive, he does have a point which could even save my purse some pennies (in the sense that where any money is spent by politicians, the bill eventually comes back to the voters). I applaud his candour. However, MEPs are so remote from everyday life that a few sentences describing each one would be quite sufficient for me to judge whom to vote for. I would then like to be told who is sponsoring whom; if I do not know a candidate, I can often get some idea about him if I have the sponsors' names.

I would also be interested in hearing a little about candidates' training for the job. Blair has been heard to say that it is important for people taking on skilled tasks to have the appropriate training and skills first. How he has the temerity to say this when he himself has none for his present job I do not know. It dismays me that anyone can take on an important political appointment without any demonstrable training.

A N Wilson (*S. Tel*, 29/11/98) pleads with the Queen to save her Lords. 'As Head of State she is ultimately the only person who can put a check on the overweening ambitions of the Labour Government to eliminate any of its parliamentary opposition. ... So, ... ma'am. Call for the greatest constitutional experts in the land. And tell Mr Blair, politely but firmly, that he may not get rid of the hereditary peers until a plausible alternative has been agreed.'

The skulduggery and lies which various parties indulged in so that Hamilton's name might be blackened are horrendous. Every page shrieks 'injustice!'.

A Mr Louis Blanchet (24/11/98) writes: 'Here in Tatton at the last general election the sitting MP was endorsed by his local party. The voters booted him out in favour of Martin Bell (Independent). I cannot see many of us voting for a list.' Fair comment, though I am still of the opinion that Neil Hamilton was the unwise victim of the 'souk' mentality of Al Fayed.

Let me here put in a strong plug for *Trial by Conspiracy*. This is an in-depth analysis by an independent investigative journalist into the 'Cash for Questions' affair. The skulduggery and lies which various parties indulged in so that Hamilton's name might be blackened are horrendous. Every page shrieks 'injustice!'. Even Sir Gordon Downey comes out as being 'economical with the evidence' when anything in Hamilton's favour turned up. Anyone who wants the proper story should acquire this book. See back page for details of SIF special offer.

I must also commend to your attention *Fayed, The unauthorised biography* by Tom Bower, Macmillan £18.99, ISBN 0-333-74554-X, reviewed by John Davenport Hines in *TLS* on 18/12/98. Reading only the review gives one the most unpleasant picture of Fayed (as he began life) and his dealings, especially in the acquisition of Harrods and his 'demand' for British citizenship.

Recently I read somewhere that Al Fayed (as he now styles himself) is cross because he reckons he alone got Blair into power. Now however he is still not getting the citizenship which he so richly deserves for his efforts - he says. Nice. I confess I may have been wrong when I said in an earlier issue that Straw would probably be more accommodating towards the Egyptian than was the previous government. (Of course Straw could always create a special

non-citizen's, or alien's, life-peerage.) However, might consideration of Al Fayed's position be the (Egyptian) camel which breaks the Straw's back?

Legalisation of Recreational Drugs

I do not wish to pontificate here as I am no expert. Three people however have made comments to me recently which I believe are worthy of inclusion in the debate.

A young friend is a frequenter of London night spots. She tells me that nearly everyone therein takes drugs. More bottled water is sold than alcohol because it is cheaper to get 'high' on a pill or two than on drink. She believes that drugs must be regulated; at present there is nothing to govern the content of the pills being sold, which leads both to cheating with inferior goods and to the sale of highly dangerous chemicals. The 'bouncers' who are supposed to control entry to the clubs confiscate money and drugs found on 'pushers' - and then themselves keep the money and sell the drugs. The situation is beyond the control of law unless a vast (expensive) army of uncorrupt police can be drafted in.

I met an ex-navy man, just retired, who worked out of Florida against drug-running. On his last job he helped stop a ship in which 11 tonnes of cocaine were found. I forget the exact worth of this; it was say \$150,000 per kilo. He says that in some Caribbean communities the whole way of life (and work) has been destroyed by drugs. (A friend just back from Amsterdam tells me a similar situation is being created there.) He was adamant that the fight against drugs must go on. He added that he could easily himself have done a 'run' or two without detection: then he could have retired completely.

She believes that drugs must be regulated; at present there is nothing to govern the content of the pills being sold, which leads both to cheating with inferior goods and to the sale of highly dangerous chemicals.

A senior politician I know believes in legalisation, or at least in 'de-criminalisation'. His main reasons are that, fundamentally, we should have the freedom to do what we wish with our own bodies; that the law as it stands is impossible to enforce within a reasonable budget and that by implication many otherwise law-abiding people hold the law in contempt; that criminals would lose the power to make vast profits out of supplying drugs; that crime rates would fall

dramatically if prices were lower; that control of content through testing is essential but that the Government cannot undertake or enforce this if the trade is illegal; and that the Government is missing out on a lot of potential tax collection.

Snippets

If you talk to babies every day for half-an-hour it gives them a higher IQ. That's official according to Dr Ward of the Speech, Language and Hearing Centre (18/10/98). Well, had I a baby and did I not talk to it for half-an-hour every day, I would feel I had deprived it of something essential to its development. Yet it seems there are parents now who plonk babies in front of 'the box' and leave them to learn their speech therefrom. How awful.

'Lifelong celibacy is something to celebrate, the General Synod decided yesterday...' (19/11/98) Champagne all round?

Electronic Data Systems (EDS), founded by Ross Perot but not now controlled by him, has been (6/11/98) 'awarded the prime contract in the £7 billion Accord programme, which will automate the Benefits Agency ... EDS already has the Inland Revenue Back Office, the Employment Service...'. The article goes on to show that EDS is undergoing problems. Nevertheless 'Britain is the main engine of growth for EDS'. Dangerous. I do not like any foreign, companies having such a hold on data which are sensitive in the UK.

'Lifelong celibacy is something to celebrate, the General Synod decided yesterday...' (19/11/98) Champagne all round?

Have you heard of the Institute for Social Inventions? Their Chairman, Nicholas Albery, writes (28/11/98 - there have been several letters on the topic) on 'Commandments that fit the age' with his Institute's version:

(1) Show reverence towards creation in all its manifestations.

(2) Maintain and care for your network of family, friends and neighbours.

(3) Preserve your health for old age.

(4) Procreate only with respect for population limits.

(5) Choose work that is life-enhancing.

(6) Resolve disputes without resort to unnecessary violence.

(7) Resist enslavement to television, computers and similar virtual realities.

(8) Refrain from acts that seriously impinge on the wellbeing of others.

(9) Create human-scale societies of small neighbourhoods, small firms and small nations.

(10) Preserve the beauty and diversity of the planet for future generations.

This list fits well, methinks, with our motto 'Freedom with Responsibility', though the SIF member who resigned recently would quarrel with (4) no doubt.

The list comes in fact from the Institute's *Creative Speculations* and is available at £14.85 from 0181 208 2853. The Institute's book list (worth getting) includes some intriguing titles, ranging from *World's Best Ideas - A Global Ideas Bank compendium*, through *1,001 Health Tips* and *Book of Country Walks* to *The Natural Death Handbook*.

Closed-List Voting for MEPs

Michael Shrimpton has had published a letter (24/11/98) in which he claims that 'any resort to the Parliament Act 1949 to ram through a closed-list voting system' may be invalid because 'the Parliament Bill 1949 was never approved by the House of Lords, only by the Commons. ... The consequences of using the "Parliament Act 1949" to hold an election would be chaotic ... and none of the so-called MEPs would be validly elected, in my view ... Moreover, the MEPs should understand that there would be no constitutional authority to pay their salaries and expenses.' Shrimpton has now prepared a Briefing Paper for Lord Nunburnholme seeking an authoritative Opinion. Delicious! Watch out for more news.

Anti-discrimination letter

Members may have missed my recent letter to *The Times* on 16th February:

"Sir, It is outrageous that Jack Straw should impose ethnic minority quotas on recruitment to the police force. Of all organisations, this is the one where appointment and promotion must be made solely on merit and suitability.

Quotas have been tried in the United States. The results have been "reverse discrimination" against "ethnic majority" candidates, a lowering of standards because often the best man for the job was passed over, and charges that the mix of different races was unfair to a particular one.

How does Straw propose to define a member of an ethnic minority? Would someone of "mixed race" count as half a person in his 7 per cent?

Straw is himself being racist, in the worst possible way, by promoting one set of groups as against another. Yours lividly.

"Tell It" Meeting

16th November 1998

The meeting consisted mainly of questions to Dr Alan Dean, Chairman of EPIC and General Practice Research Database (GPRD) on relevant aspects of GPRD and how the Society for Individual Freedom (SIF) could further assist and thus achieve our own aims. This follows "Tell It's" acknowledged success concerning increased Government interest in, and use of, the GPRD concurrent with the questions we have been asking in Parliament.

Role of "Tell It"

Dr Dean sees SIF as being able to work with political bodies about political issues to make this data much more well known, acceptable and better funded. He said that the sequence for ensuring that information on long-term outcomes is widely available for the medical profession and the general public is as follows:

1. GPRD must obtain finance for a particular research project.
2. The research must be published in a scientific journal.
3. This can then be pointed out to general journalists and promoted by SIF to MPs and/or to the media.
4. SIF can then;

a) put this information on the Internet and send it to relevant patient organisations once it is in the public domain.

b) Indicate the value of this research to the government and push for finance for such research on a much wider basis.

SIF will work to make this data much more well known, acceptable and better funded

Validation of Data on GPRD

Dr Dean explained the importance of validation of data as an extremely important issue and one they took on board right from day one. They could not use their own data before they knew how valid it was and every time they do a study now they validate all the important outcomes. The first 15 publications they did were all related to validation. For example the data has been confirmed by the patient (the patients fill in questionnaires). They also check by looking at hospital records.

A certain drug company that uses the data has 40 research staff in the United

States and five in the UK. They are using information because it is validated and because it is giving them a proper picture of what happens in real life. Its use is mainly to trace the history of the development of diseases.

How current budget systems increase the cost to the NHS.

One of the problems in this country is that the NHS has different budgets for different types of use and they are not flexible, e.g. the hospital service has a budget and the general practitioner has a budget. GPRD have often produced studies which prove that by spending a small sum in one budget taxpayers can save a large sum in another budget. But nobody will do it because there is no incentive for them to spend the small sum even though it is going to save the large sum elsewhere, because the large sum has got nothing to do with the Department able to spend the small sum. It just sees the prospective small sum as an additional expense.

One of the problems in this country is that the NHS has different budgets for different types of use and they are not flexible

This means that in the current system there is an incentive to be driven by cost alone. Government policy to contain drug costs encourages the use of low cost medications as first line treatment, failure then leads on to the prescribing of the next most costly and so on. Although this lowers the drug budget there are two problems with this approach. First, the patient may not get well as soon as he has a right to expect. Second, each treatment failure has an increased chance of referral for hospital care or investigation which is not only costly to the nation but obviously not in the patient's interest. These actions save money in the drug budget at the expense of much larger cost in the separate hospital budget.

Pressures in the opposite direction occur when lack of resources in the hospital sector (so evident this winter) result in waiting lists and other forms of rationing being applied so as to stay within budget. This causes much greater expenditure in the primary health care sector. Research using GPRD would help identifying these issues and further assist in the best possible use of resources. We, as a nation, spend only a comparatively small proportion of our gross national product on the National Health Service. Large numbers of patients have benefited however; every benefit

generates future costs. A life saved at birth means other future expenditure possibly a lifesaving appendicectomy allowing the survivor to develop Diabetes and all its associated costs. In order to alter nature's strategy of 'survival of the fittest' increasing resource has to be applied to provide the progressively more expensive best medical care. This is a case of getting what you are prepared to pay for; and politicians have decided that second best to save money is the appropriate course of action.

Government decision

Discussing what level of Government would take the decision to use this information from GPRD to actually save money it was said that the only body that could do that is Parliament. This is because only they can instruct people to do things in a different way.

There is a policy body that has already taken all these decisions and now the NHS is just handing down what the law is.

The MRC will allocate funds for wages, premises, equipment and other overheads but is not willing to provide funds to purchase data that already exist even if substantial cost saving would occur.

The best way to make that information available to the right people in Parliament is to get funding for researchers who are health economists to come in and use the data. They do the publications, which then feed back. This way you do not only get one bite of the cherry, you get lots and lots as they produce more work and it gets fed back into the cycle again and this can be pointed out to Parliament.

System change needed

The Medical Research Council (MRC) distributes the majority of Government money for medical research. Historically research in this field has been prospective paper-based studies with the required data elements collected specifically for each individual study by hand at high cost. GPRD data are retrospective in that collection occurred in the past and so is a new and little understood resource for which there is not a mechanism for funding within the current system. The MRC will allocate funds for wages, premises, equipment and other overheads but is not willing to provide funds to purchase data that already exist even if substantial cost saving would occur. The rationale applied apparently is that this data should be free,

as no additional new collection costs have to be applied.

SIF & Tell It have to encourage Parliament to change the rules. If we could do this it would transform the whole of the GPRD and the amount of information widely available would be vastly increased.

The irony is that the data on the GPRD is scientifically more valid than individually set up scientific research projects because the people collecting GPRD data did not know the purpose for which it was being collected.

LATENEWS

The Medicines Control Agency has proposed substantial additional Government Funding to supplement the quantity and quality of data held in the GPRD. Improvements will be made to how the data are collected and held. The major objective is to make resources widely available in both existing and new areas of research for the public good.

BOOK REVIEW

The Intellectuals and Socialism
by Friedrich A. Hayek

(London: IEA, 1998)
Pp. viii + 28. £4.00

Reviewed by Prof. Antony Flew

This is a reprint of an essay first published in 1949. To enable readers to appreciate its importance and its enormous though indirect influence it is furnished with a Foreword by the President of the Heritage Foundation in the USA and an Introduction by the General Director of the Institute of Economic Affairs (IEA) in London. The story begins in April 1945 when the Readers Digest published a condensed version of Hayek's classic work - he always referred to it as a pamphlet - *The Road to Serfdom*.

Among the many people whom it influenced permanently and profoundly was a Battle of Britain fighter pilot turned businessman called Antony Fisher. Wanting to play his part in the struggle to implement the ideas advocated in that pamphlet, Fisher went to the London School of Economics to ask Hayek's advice. Fisher had been thinking of embarking upon a political career. But Hayek insisted that this would be a waste of time. His advice, which Fisher was to

take just so soon as he had made sufficient money by the farming of chickens to enable him to fund the foundation of the IEA, was to "join with others in forming a scholarly research organisation to supply intellectuals in universities, schools, journalism, and broadcasting with authoritative studies of the economic theory of markets and its application to practical affairs."

Hayek's essay on *The Intellectuals and Socialism* develops the argument which led him to give that advice. For him here intellectuals are "professional second-hand dealers in ideas", and in this understanding intellectuals in a modern democratic state constitute a substantial class.

Its members need to be neither original thinkers nor experts in a particular field. What qualifies people as intellectuals in this sense is the wide range of subjects on which they can talk or write, and the positions or habits through which they become acquainted with new ideas sooner than those to whom they address themselves. This class consists not only of journalists, teachers, ministers of religion, radio and television commentators, and writers of books, but also of workers in many other fields who, because of their expert knowledge of their own subjects, are listened to with respect on many other matters.

For him here intellectuals are "professional second-hand dealers in ideas"

Hayek's generously evidenced thesis is that, although the direct and immediate political influence of such intellectuals is in any case negligible, in the long run it can be and in fact has been both enormous and overwhelmingly socialist. When *The Road to Serfdom* was first published the term 'socialism' had to be construed as referring - in the words of Clause IV of the Constitution of the [Old] Labour Party - to "the public ownership of all the means of production, distribution and exchange." In 1976, in his Preface to the Second Edition of *The Road to Serfdom*, Hayek took note of a second sense: the word 'socialism' had now "come to mean chiefly the extensive re-distribution of incomes through taxation and the institutions of the welfare state." But he still insisted that, under socialism in this second sense, a sense which is perhaps best described as social democratic, "the effects I discuss in this book are brought about, more slowly, indirectly and imperfectly."



NOTICES

Libertarian Alliance

A one day conference on The Enterprise of Law

2-5pm, Saturday 5th June
IEA, 2 Lord North Street, London

£2 for non-LA subscribers
Further details: 0171-821 5502

Some interesting internet sites

The SIF's own information packed
website can be accessed at -
[http://members.aol.com/forgood/
freedom/](http://members.aol.com/forgood/freedom/)

The homepage of regular *Individual*
writer Sean Gabb can be found at -
<http://freespace.virgin.net/old.whig/flc>

SPECIAL OFFER FOR SIF MEMBERS

The story Parliament and the Press don't want you to read!!!!

Trial by Conspiracy

Jonathan Boyd Hunt
GreenZone Publishing, 1998. ISBN 0-473-05123-0

Exclusively to SIF members
copies personally inscribed by Neil Hamilton

For only £12 including postage and package
- representing a 25% reduction on RRP of £15.99

Send Cheques payable to Mrs C. Hamilton to:
The Old Rectory, Nether Alderley,
Macclesfield, Cheshire SK10 4TW.
Tel: 01625-582958.

Send details of the name of the person to whom the book should be
inscribed and your address, including contact telephone number